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Letter dated 31 December 2012 from the Chair of the Security Council Committee established pursuant to resolution 1521 (2003) concerning Liberia addressed to the President of the Security Council

I have the honour to transmit herewith the report of the Security Council Committee established pursuant to resolution 1521 (2003) concerning Liberia, containing an account of the Committee's activities from 1 January to 31 December 2012. The report, which was adopted by the Committee, is being submitted in accordance with the note by the President of the Security Council of 29 March 1995 (S/1995/234).

(*Signed*) Masood **Khan**
Chair
Security Council Committee established
pursuant to resolution 1521 (2003) concerning Liberia

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Report of the Security Council Committee established pursuant to resolution 1521 (2003) concerning Liberia

I. Introduction

1. The present report of the Security Council Committee established pursuant to resolution 1521 (2003) concerning Liberia covers the period from 1 January to 31 December 2012. For the webpage of the Committee, see: www.un.org/sc/committees/1521/index.shtml.

2. For 2012, the Bureau of the Committee consisted of Abdullah Hussain Haroon (Pakistan) and subsequently Masood Khan (Pakistan) as Chair, with the delegations of Portugal and South Africa serving as Vice-Chairs. During the reporting period, the Committee held three informal consultations (on 9 March, 15 June and 30 November 2012) to consider, inter alia, the midterm (S/2012/448) and final (S/2012/901) reports of the Panel of Experts on Liberia.

II. Background information

3. Previous sanctions regimes concerning Liberia were imposed by the Security Council by its resolutions 788 (1992) and 1343 (2001), respectively. In its resolution 1521 (2003), the Council decided to revise the legal basis of the sanctions to reflect the changed circumstances in Liberia, in particular the departure of former President Charles Taylor, the formation of the National Transitional Government of Liberia and progress with the peace process in Sierra Leone. Under resolution 1521 (2003), the Council dissolved the Committee established pursuant to resolution 1343 (2001) and established a new Committee to oversee the implementation of the measures as modified and reimposed by the same resolution: an arms embargo, restrictions on the travel of individuals designated by the Committee on the basis of the criteria contained in the resolution, and prohibitions on the import of rough diamonds and round logs and timber products originating in Liberia. By resolution 1521 (2003) the Council also established a Panel of Experts consisting of up to five members, to provide the Committee with information regarding the implementation of the measures and progress made towards meeting the conditions for the lifting of sanctions. On 16 March 2004, the Committee issued a new travel-ban list, containing the names of individuals subject to travel restrictions imposed by paragraph 4 of resolution 1521 (2003).

4. In order to prevent former Liberian President Charles Taylor, his immediate family members, senior officials of the former Taylor regime, or other close allies or associates designated by the Committee from using misappropriated funds and property to interfere in the restoration of peace and stability in Liberia and the subregion, the Security Council decided, under paragraph 1 of resolution 1532 (2004), that all States would freeze without delay funds, other financial assets and economic resources owned or controlled directly or indirectly by Charles Taylor, Jewel Howard Taylor, Charles Taylor, Jr., and/or those other individuals designated by the Committee. On 14 June 2004, the Committee issued its initial list of individuals and entities subject to the measures contained in paragraph 1 of resolution 1532 (2004) (the assets-freeze list). By paragraph 5 of resolution 1532 (2004), the Council further decided that it would review the measures imposed by

paragraph 1 of that resolution at least once a year; no expiration date for those particular measures was provided in the resolution, however.

5. A summary of the imposition and extension of the various sanctions measures (excluding the assets freeze) together with the mandates of the Panel of Experts is contained in the table below:

Resolution number and date	*Arms embargo and travel ban extended for*	*Diamond sanctions extended for*	*Timber sanctions extended for*	*Panel of Experts established/ extended for*	*Symbol of Panel's report*
Resolution 1521 (2003) 22 December 2003	12 months	12 months	12 months	5 months	S/2004/396 and Corr.1 and 2
Resolution 1549 (2004) 17 June 2004	Not applicable	Not applicable	Not applicable	6 months	S/2004/752 S/2004/955
Resolution 1579 (2004) 21 December 2004	12 months	6 months	12 months	6 months	S/2005/176 S/2005/360
Resolution 1607 (2005) 21 June 2005	Not applicable	6 months	Not applicable	6 months	S/2005/745
Resolution 1647 (2005) 20 December 2005	12 months	6 months	6 months	6 months	S/2006/379
Resolution 1689 (2006) 20 June 2006	Not applicable	6 months	(Not renewed)	6 months	S/2006/976
Resolution 1731 (2006) 20 December 2006	12 months	6 months	Not applicable	6 months	S/2007/340
Resolution 1753 (2007) 27 April 2007	Not applicable	(Terminated)	Not applicable	Not applicable	Not applicable
Resolution 1760 (2007) 20 June 2007	Not applicable	Not applicable	Not applicable	6 months	S/2007/689
Resolution 1792 (2007) 19 December 2007	12 months	Not applicable	Not applicable	6 months	S/2008/371
Resolution 1819 (2008) 18 June 2008	Not applicable	Not applicable	Not applicable	6 months	S/2008/785
Resolution 1854 (2008) 19 December 2008	12 months	Not applicable	Not applicable	12 months	S/2009/290 S/2009/640
Resolution 1903 (2009) 17 December 2009	12 months	Not applicable	Not applicable	12 months	S/2010/319 S/2010/609
Resolution 1961 (2010) 17 December 2010	12 months	Not applicable	Not applicable	12 months	S/2011/367 S/2011/757

Resolution number and date	*Arms embargo and travel ban extended for*	*Diamond sanctions extended for*	*Timber sanctions extended for*	*Panel of Experts established/ extended for*	*Symbol of Panel's report*
Resolution 2025 (2011) 14 December 2011	12 months	Not applicable	Not applicable	12 months	S/2012/448 S/2012/901
Resolution 2079 (2012) 12 December 2012	12 months	Not applicable	Not applicable	12 months	

6. Notably, by its resolution 1683 (2006), the Security Council, welcoming the leadership of the newly elected President and her efforts to restore peace, security and harmony throughout Liberia, modified the arms embargo to incorporate additional exemptions for the Liberian Special Security Service and, subject to advance approval by the Committee, for members of the Liberian police and security forces who have been vetted and trained since the inception of the United Nations Mission in Liberia (UNMIL) in October 2003.

7. By its resolution 1688 (2006), the Council decided that the travel restrictions imposed by resolution 1521 (2003) would not apply to former President Taylor for the purposes of any travel related to his trial before the Special Court for Sierra Leone, as well as any travel related to the execution of the judgement, and also to exempt from the travel ban the travel of any witnesses whose presence at the trial was required.

8. By its resolution 1689 (2006), the Council, concluding that sufficient progress had been made in meeting the conditions set out for terminating the measures on timber, decided not to renew the prohibitions on the import of round logs and timber products from Liberia; however, it also decided to review that decision after a period of 90 days and expressed its determination to reinstate the measures, unless forestry legislation as specified in the resolution had been passed. During the review, held on 20 October 2006, the members of the Council concluded that there was no basis for reinstating those measures as otherwise stipulated in the resolution.

9. By its resolution 1731 (2006), the Council, recognizing the need for newly vetted and trained Liberian security forces to assume greater responsibility for national security, and taking note of the need for Liberian armed forces to procure humanitarian, medical and/or training equipment, further modified the arms embargo to exclude supplies of non-lethal military equipment.

10. By its resolution 1753 (2007), the Council, concluding that sufficient progress had been made in meeting the conditions set out for terminating the measures on diamonds, decided to terminate those measures, almost two months ahead of their date of expiration as set by resolution 1689 (2006).

11. By its resolution 1792 (2007), the Council also decided that States would notify the Committee upon delivery of all arms and related materiel approved and supplied in accordance with paragraph 2 (e) of resolution 1521 (2003).

12. By its resolution 1903 (2009), the Council decided that for a period of 12 months the measures on arms shall not apply to the Government of Liberia and it renewed the measures for a period of 12 months with regard to all non-governmental entities and individuals operating in the territory of Liberia. In the same resolution, the Council also decided that all States shall notify the

Committee in advance of any shipment of arms and related materiel to the Government of Liberia or of any provision of assistance, advice or training related to military activities for the Government of Liberia.

13. By its resolution 1961 (2010), the Council renewed the arms embargo on all non-governmental entities and individuals operating in the territory of Liberia and the travel ban for a period of 12 months. By the same resolution, the Council decided to extend the mandate of the Panel of Experts on Liberia until 16 December 2011, and included in the Panel's mandate, inter alia, a request to report on the implementation, and any violations, of the measures on arms as amended by resolution 1903 (2009). The Council also included in the Panel's mandate a request to assess the extent to which forests and other natural resources are contributing to peace, security and development rather than to instability and to what extent relevant legislation and other reform efforts are contributing to this transition, and to provide recommendations on how such natural resources could better contribute to Liberia's progress towards sustainable peace and stability.

14. By its resolution 2025 (2011), the Council renewed the arms embargo on all non-governmental entities and individuals operating in the territory of Liberia and the travel ban for a period of 12 months. By paragraph 5 of the resolution, the Council decided to extend the mandate of the Panel of Experts on Liberia for the same period, and included in the Panel's mandate a request for the Panel to report on the implementation, and any violations, of the measures on arms as amended by resolution 1903 (2009). By paragraph 9 of resolution 2025 (2011), the Council reaffirmed the need for UNMIL and the United Nations Operation in Côte d'Ivoire (UNOCI) to regularly coordinate their strategies and operations in areas near the Liberia-Côte d'Ivoire border, in order to contribute to subregional security.

15. By its resolution 2079 (2012), the Council renewed the arms embargo on all non-governmental entities and individuals operating in the territory of Liberia and the travel ban for a period of 12 months. By paragraph 5 of the resolution, the Council decided to extend the mandate of the Panel of Experts on Liberia for the same period, and renewed in the Panel's mandate a request for the Panel to report on the implementation, and any violations, of the measures on arms as amended by resolution 1903 (2009). The Council also renewed in the Panel's mandate a request for the Panel to assess the extent to which forests and other natural resources are contributing to peace, security and development rather than to instability, and to cooperate actively with the Kimberley Process Certification Scheme, including during a planned Kimberley Process mission in 2013.

III. Summary of the activities of the Committee

A. Requests for exemptions to the measures/notifications

16. During the reporting period, the Committee considered eight requests for travel-ban waivers under paragraph 4 (c) of resolution 1521 (2003), involving the proposed travel of four individuals, all of which were acceded to.[1]

[1] Emmanuel Shaw, Tupee Taylor, Jewel Howard Taylor and Benoni Urey.

17. With respect to the assets freeze, the Committee did not receive any notifications in connection with the exemption provisions contained in paragraphs 2 (a) and (b) of resolution 1532 (2004).

18. During the period under review, the Committee received three notifications in accordance with paragraph 6 of resolution 1903 (2009),[2] by which the Council decided that all States should notify the Committee in advance regarding any shipment of arms and related materiel to the Government of Liberia, or any provision of assistance, advice or training related to military activities for the Government of Liberia.

19. In accordance with paragraph 4 of resolution 1683 (2006), the Committee received, during the reporting period, five communications from UNMIL transmitting reports on the results of the Mission's inspections of inventories of weapons and ammunition obtained in accordance with paragraphs 1 and 2 of that resolution, in order to ensure that all such weapons and ammunition were accounted for.

B. Updates to the travel-ban and assets-freeze lists

20. Pursuant to paragraph 4 of resolution 2025 (2011), the Council directed the Committee, in coordination with the Government of Liberia and relevant designating States, and with the assistance of the Panel of Experts, to update the publicly available reasons for listing for entries on the Committee's travel-ban and assets-freeze lists. In this regard, letters were sent to three designating States on 19 April 2012 requesting that they review the listings proposed by them, and should they determine that certain individuals or entities no longer meet the criteria for listing, they may wish to convey this information to the Committee. Responses to these letters are awaited.

21. The Committee received four delisting requests through the focal point process in 2012 and two requests for the delisting of individuals from their State of nationality or residence. The Committee delisted a total of 20 individuals, on 3 July (1), 10 July (1), 24 July (17) and 14 September (1); the 17 individuals delisted on 24 July were all Liberian nationals. In this connection, press releases were issued on 3 July (SC/10696), 10 July (SC/10703), 24 July (SC/10723) and 14 September 2012 (SC/10763).[3]

22. As at 14 September 2012, when it was last updated, the Committee's assets-freeze list includes the names of nine individuals and 30 companies, while the travel-ban list, updated also as at the same date, includes the names of 25 individuals (for the lists, see the website of the Committee at www.un.org/sc/committees/1521/).

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[2] United States, Nigeria, Australia.

[3] 3 July (SC/10696: Leonid Minin); 10 July (SC/10703: Valeriy Naydo); 24 July (SC/10723: Tupee Taylor, Agnes Reeves Taylor, Adolphus Dolo, Belle Dunbar, George Dweh, Edwin Snowe, Jewel Howard Taylor, Myrtle Francelle Gibson, Martin George, Cyril Allen, Randolph Cooper, Victoria Refell, John T. Richardson, Reginald Goodridge, Emmanuel Shaw, Sampson Gwen, Maurice Cooper); 14 September (SC/10763: Mohamed Salame).

C. Implementation of the sanctions regime

23. In 2012, the Committee received no additional replies from States in response to its note verbale dated 20 January 2004 seeking information on the implementation of the sanctions measures imposed by resolution 1521 (2003); thus, the total number of replies received remains 17. The Committee also received no additional replies from States in response to its note verbale of 14 June 2004; thus, the total number of replies received remains 15. Pursuant to paragraph 4 (d) of resolution 1532 (2004), that note verbale sought information from all States regarding the actions they had taken to trace and freeze the funds, other financial assets and economic resources described in that resolution.

24. In its final report pursuant to paragraph 5 (f) of Security Council resolution 2025 (2011) (S/2012/901), the Panel of Experts reported on cross-border military activities perpetrated by Liberian mercenaries and Ivorian militia, the identities of combatant commanders, their sources of weapons and financing to facilitate the operations, including on the June 2012 cross-border attack resulting in the deaths of seven UNOCI peacekeepers.

25. The Panel of Experts found that the geographic and strategic dimensions of the attacks were limited, but had become more violent and more organized in comparison with 2011, exhibiting tactical dimensions. Financing, provided through connections between Ivorian militia, Liberian mercenaries and financiers in neighbouring countries, was identified as the key catalyst facilitating cross-border attacks. The Panel found that continued and more organized attacks could have more profound impact on security in the Côte d'Ivoire-Liberia border region.

26. In its investigations regarding natural resources, the Panel found that diamond trafficking remained a problem for the Government of Liberia, and accordingly recommended a re-evaluation and reassessment of the functioning of the Kimberley Process Certification Scheme.

27. The Panel also expressed considerable concern regarding the gold sector, in particular regarding the lack of capacity to address illicit mining, much of which was carried out in inaccessible areas along the Ivorian border.

28. While Liberia had comprehensively reformed the forestry sector, weak natural resource governance jeopardized post-conflict reconstruction efforts and simultaneously undermined the rule of law, hampered development, weakened the fragile social compact between the Government and its citizens and threatened stability. The Panel of Experts also identified challenges in the agricultural sector, in particular relating to the production of palm oil.

29. On the assets freeze and travel ban, the Panel noted that in the conduct of its investigations, it did not find any evidence concerning the involvement of sanctioned individuals in violations of the arms embargo and cross-border attacks.

30. In this context, by paragraph 1 of resolution 2079 (2012), adopted on 12 December 2012, the Security Council noted with serious concern the lack of progress with regard to the implementation of the financial measures imposed by paragraph 1 of resolution 1532 (2004) and demanded that the Government of Liberia make all necessary efforts to fulfil its obligations.

D. Other activities

31. The Chair (Abdullah Hussain Haroon) undertook a visit to Liberia from 13 to 18 May 2012 in pursuance of the decision taken by the Committee during its informal consultations on 9 March 2012. During the visit, the first such visit since April 2006, which was aimed at conducting a review of the sanctions regime, the Chair interacted with a cross-section of Liberians, including representatives of the Government, civil society and UNMIL, and sanctioned individuals.

32. In their interactions with the Chair, Liberian stakeholders expressed the view that the arms embargo was essential for ensuring the peace and stability of Liberia, while there was a divergence of views on the assets freeze and travel ban.

33. On the management of natural resources, various interlocutors highlighted the lack of capacity as a constraint on the efforts of the Government of Liberia for effective supervision of the exploitation of natural resources, in particular artisanal diamond and gold mining, as well as the absence of authentic land titles as a source of conflict.

34. On 12 June 2012, the Chair transmitted to the Committee a report on his visit, including his recommendations on the continued relevance of the arms embargo, the travel ban and assets freeze. At the Committee's informal consultations on 15 June, the Chair provided an overview of the main findings contained in the report of his visit. At the same meeting, the Panel of Experts presented the main findings contained in its midterm report (S/2012/448), and members of the Committee discussed the recommendations contained in the report.

35. On 29 June 2012, during the consultations of the Security Council, the Chair briefed the Council on his visit to Liberia. During the consultations, the Chair also briefed the Council on the presentation to the Committee by the Panel of Experts of its midterm report (S/2012/448) and the Committee's discussion of the recommendations contained therein.

36. Following its consideration of the midterm report of the Panel of Experts (S/2012/448), the Committee dispatched letters on 19 July 2012 to the Permanent Representative of Liberia to the United Nations (copying the Chair of the Kimberley Process); the Permanent Representative of Côte d'Ivoire to the United Nations; the Secretary-General of the Organization for Economic Cooperation and Development; and the Under-Secretary-General for Peacekeeping Operations (copying the Special Representative of the Secretary-General for Liberia and the Special Representative of the Secretary-General for Côte d'Ivoire) drawing attention to relevant recommendations contained in the midterm report.

37. On 30 November 2012, the Panel of Experts presented the main findings contained in its final report (S/2012/901) to the Committee, following which the members of the Committee discussed the Panel's recommendations.

38. The Chair briefed the Security Council on the findings of the final report of the Panel (S/2012/901) during the Security Council's consultations on 6 December 2012.

39. Following its consideration of the final report (S/2012/901), the Committee dispatched letters on 26 December 2012 to the Permanent Representatives to the United Nations of Liberia and Côte d'Ivoire; the Under-Secretary-General for

Peacekeeping Operations (copying the Special Representative of the Secretary-General for Liberia and the Special Representative of the Secretary-General for Côte d'Ivoire); the United Nations High Commissioner for Refugees; the Chair of the Kimberley Process; the World Bank; the Chair of the Liberia Configuration of the United Nations Peacebuilding Commission; the Round Table on Sustainable Palm Oil; and the Head of the Secretariat of Liberia Extractive Industries Transparency Initiative.

IV. Observations

40. The Committee continues to rely on the reporting of the Panel of Experts to monitor the implementation of the remaining sanctions measures and to keep abreast with various developments in the area of natural resources.